

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re:	Application No. 10/694,960)	
)	
Filed:	October 28, 2003)	<i>Confirmation No. 4443</i>
)	
Applicants:	Isabelle LAYE et al.)	
)	
Title:	PROCESS CHEESE)	
	CONTAINING INCREASED)	
	LEVELS OF WHEY PROTEIN)	
)	
Art Unit:	1761)	
)	
Examiner:	Leslie A. WONG)	
)	
)	
Attorney Docket:	1410/79708)	
)	
Customer No.:	22242)	

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated April 4, 2007 rejecting claims 1-7 and 27-42.

- ☒ The fee for this Notice of Appeal is \$ 500.00 (37 CFR § 41.20(b)(1)).
- ☒ Authorization to charge Deposit Account No. 06-1135 for the Appeal Fee was given using the USPTO's EFS-Web.

Application No. 10/694,860

NOTICE OF APPEAL dated July 3, 2007

Reply to Office Action/Decision of Primary Examiner of April 4, 2007

- ☐ Not required (fee paid in prior appeal in this application).
- ☐ A petition for extension of time under 37 CFR § 1.136(a) is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this appeal (specifically including the fee for filing a brief in support of this appeal if such brief is filed unaccompanied by full payment therefor, and the fee for filing a request for an oral hearing if such request is made unaccompanied by full payment therefor), or credit any overpayment to Deposit Account No. 06-1135. Should no proper payment be made, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

July 3, 2007

Date

/Jeffrey A. Chelstrom/

Jeffrey A. Chelstrom

Registration No. 57,915

- ☒ Attorney or agent of record
- ☐ Inventor(s)
- ☐ Assignee
- ☐ Filed under 37 C.F.R. § 1.34(a)

FITCH, EVEN, TABIN & FLANNERY

120 South LaSalle Street, Suite 1600

Chicago, Illinois 60603-3406

Telephone: (312) 577-7000

Facsimile: (312) 577-7007